IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5026 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MAFATLAL INDUSTRIES LTD.

Versus

UNION OF INDIA

Appearance:

1. Special Civil Application No. 5026 of 2001

MR SB VAKIL for Petitioner No. 1

MR ASPI M KAPADIA for Petitioner No. 1

MR ASIM J PANDYA for Respondent No. 1

RULE SERVED for Respondent No. 1,3

MR PJ MEHTA for Respondent No. 2

NOTICE SERVED for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE JAYANT PATEL

Date of decision: 13/02/2004

ORAL JUDGEMENT

Having heard Mr.Vakil with Mr.Kapadia for the petitioner and Mr.Mehta for the PF authority it appears that there is no dispute on the point that the scheme is sanctioned in respect of the petitioner company by BIFR and the said scheme is in operation. There is also no dispute on the point that as per the said scheme the PF dues are included and they are part of the scheme and its payment is also incorporated in the scheme by installments as provided under the scheme. Mr.Vakil for the petitioner further submits that the payment of PF dues as per the scheme is being made.

2. In view of the above circumstances, the order passed by the PF authority for freezing of account would not survive and hence present petition will become infructuous.

3. Petition is disposed of as having become infructuous. Rule is discharged. There shall be no order as to costs.

13.2.2004 (JAYANT PATEL,J)